



**TOWN OF ELSMERE**  
**APPEAL TO THE BOARD OF ADJUSTMENT**

Any person directly affected by a decision of the Code Enforcement Official or a notice or order issued under this Code shall have the right to appeal to the Board of Adjustment of the Town of Elsmere, provided that a written application for appeal is based on a claim that the true intent of this code or the rules legally adopted there under has been incorrectly interpreted or the provisions of this code do not fully apply. Additionally, an application for appeal may be based on a claim that an action other than what is required by the Code: 1) provides the same or better protections than what the Code requires and 2) will not cost the Town of Elsmere any more money than enforcing the code as written. If the appellant proves that an action other than what is required by the code meets these two requirements, the Board of Adjustment may, in its discretion, either enforce the Code as written or permit the proposed alternative action.

Date this Appeal was filed: <u>6/15/12</u>	Petition Number: <u>12-18</u>
Date of the Original Action: <u>6/8/12</u>	Tax Parcel Number: <u>1900100230</u>
Subject property Address: <u>2 Hall Ave, Elsmere DE 19805</u>	
Property Owner's Name: <u>Jeanine Stidham</u>	Phone Number: _____
Property Owners Address: <u>20 Fox Path Drive, Newark DE 19711</u>	
Applicant's Name: <u>Theresa Menefee</u>	
Applicant's Address: <u>2 Hall Ave Elsmere, DE 19805</u>	
Specific Item Being Appealed: (ex: Citation Number, Petition Number, Order Number, Etc.) <u>Citation # V2-00137</u> <u>Parcel # 1900100230</u>	
Reason for the Appeal: <u>I am a disabled renter. I am on a very</u> <u>Fixed income. I can not afford to pay for any fines.</u> <u>I do not have the money or ability to do so. I pay (can only</u> <u>afford out of my Food allowance) a Neighborhood Kid \$20.00</u> <u>every two weeks to cut my lawn. When I was fined on Friday</u> <u>June 8th, my Lawn Kid was to come on that Saturday</u>	
Relief sought: <u>June 9th my Lawn Kid did show up at his scheduled</u> <u>time to cut my grass. I feel that it was injustice done to</u> <u>me by Fining me. I don't own a lawn mower nor can I cut</u> <u>my own grass. I can't help the fact that I am on disability</u> <u>and can't afford to have my grass cut every week. I would</u> <u>like to have the Citation dismissed because I don't have the money</u> <u>to pay the fine.</u>	
Applicant's Signature: <u>Theresa Menefee</u>	Date: <u>6/15/12</u>





# THE TOWN OF ELSMERE CODE ENFORCEMENT DEPARTMENT

\*\*\*\*\*CITATION\*\*\*\*\*

11 Poplar Avenue – Elsmere, DE 19805 Phone: 302-998-2215 Fax: 302-998-9920



<b>RESPONSIBLE PARTY</b>  Jeffrey & Jeanine Stidham 20 Fox Path Dr Newark, DE 19711	<b>VIOLATION #</b>	V2-00137
	<b>OFFICER</b>	Daniel Reed
	<b>VIOLATION DATE</b>	06-08-2012
	<b>PROPERTY ADDRESS</b>	2 Hall Ave Wilmington, DE 19805
	<b>ABATEMENT DATE</b>	06-15-2012

On the above date, the Code Enforcement Department performed an inspection of the above referenced property. During this inspection, a violation of the Town of Elsmere Code was discovered. The nature of the civil citation is described below.

Specific Violation	Code Section	Due Date	Amount Due
All premises and exterior property shall be maintained free from weeds or plant growth in excess of 8 inches.	IPMC 2000 302.4	07/11/2012	\$50.00



## \*\*\*\*\*CITATION INFORMATION\*\*\*\*\*

In order to process your payment, please write the property address in violation in the memo section of the check or money order, and then mail it with the voucher below.

You may also pay your fee in person at Town Hall, 11 Poplar Ave., Elsmere, DE 19805.

### ABATEMENT COST

If the violation noted above is not corrected by 4:00 pm. on the "ABATEMENT DATE" listed above, the Town will take action to abate the violation. If this becomes necessary in addition to the \$50.00 fine already assessed you will owe to the Town the costs of the abatement.

Should you have any questions please contact the Code Enforcement Department at (302) 998-2215.

The "Amount Due" associated with this violation is a civil penalty and is due by no later than the "Due Date". Additionally if the violation is not abated by the "Abatement Date" shown above, the Town will take action to correct the violation. If this becomes necessary you will be responsible for the payment of all abatement costs incurred by the Town. Failure to pay the "Amount Due" and any abatement costs assessed shall give rise to a lien on the property pursuant to Title 25, Chapter 29, of the Delaware Code. You must pay this civil penalty of \$50.00 by the "Due Date" of this citation, even if the violation has been corrected.

Please return this section with your payment.

DUE DATE	PARCEL NUMBER	VIOLATION NUMBER	AMOUNT DUE
07/11/2012	1900100230	V2-00137	\$50.00

Make Checks Payable To:  
Mail Your Payment To:

The Town of Elsmere  
The Town of Elsmere  
Finance Department  
11 Poplar Avenue  
Elsmere, DE 19805

- Each 24-hour period that the condition giving rise to this citation continues will be subject to a separate citation and an additional civil penalty in the amount of \$50.00.
- You have the right to appeal this violation by submitting a written application to the Town of Elsmere's Board of Adjustment within twenty (20) days of the date of this violation. MEANS OF APPEAL SHOWN ON THE BACK.

## TOWN OF ELSMERE

11 POPLAR AVE  
ELSMERE, DE 19805  
ATTN: CRAIG HANNA  
TEL: (302)998-2215  
FAX: (302)998-9920

EXT: 104



INVOICE NO.

I2-01844

INVOICE DATE: 06/11/12

DUE DATE: 07/11/12

CUSTOMER #: P-000206

STIDHAM JEFFREY E & JEANINE  
20 FOX PATH DRIVE  
NEWARK, DE 19711

## VIOLATION INFORMATION

VIOLATION ID: V2-00137

LOCATION: 2 HALL AV

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
1.00	CODE-CIT	CODE CITATION 2 HALL AVE 2000 IPMC 302.4 HIGH GRASS/WEEDS 8"	50.0000	50.00
			TOTAL INVOICE	<hr/> 50.00

TOWN OF ELSMERE  
11 POPLAR AVE  
ELSMERE, DE 19805

STIDHAM JEFFREY E & JEANINE  
20 FOX PATH DRIVE  
NEWARK, DE 19711

Invoice Id: I2-01844

Customer Id: P-000206

Due Date: 07/11/12

Total Due: 50.00

